

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALI MUGALLI HASSAN,

Defendant.

Case No. 18-cr-00219-PJH-1

ORDER RE EX PARTE MOTION

Re: Dkt. No. 303

Defendant in the above-captioned case has filed a motion under 28 U.S.C. § 2255, asserting, among other claims, ineffective assistance of counsel. The government has filed an ex parte motion for a limited waiver of attorney-client privilege to seek discovery from defendant's former counsel. See Dkt. 303.

Although the government's proposed order allows defendant an opportunity to preserve the waiver, the government has provided no factual basis or legal authority for proceeding with its request on an ex parte basis.

The government is thus directed to file a revised motion for a limited waiver of the attorney-client privilege, not on an ex parte basis, and shall serve a copy of the motion on defendant and file a proof of service on the docket. The government's ex parte motion is denied.

IT IS SO ORDERED.

Dated: January 10, 2025

/s/ Phyllis J. Hamilton

PHYLLIS J. HAMILTON
United States District Judge